



JUNE 12 - 16, 2006 ST. LOUIS, MISSOURI

James B. Loken, Chief Judge - Minneapolis, Minnesota

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
Morris S. Arnold - Little Rock, AR
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
William Jay Riley - Omaha, NE
Michael J. Melloy - Cedar Rapids, IA
Lavenski R. Smith - Little Rock, AR
Steven M. Colloton - Des Moines, IA
Raymond W. Gruender - St. Louis, MO
Duane Benton - Kansas City, MO**

Circuit Judges Who Have Taken Senior Status

**Donald P. Lay - St. Paul, MN
Gerald W. Heaney - Duluth, MN
Myron H. Bright - Fargo, ND
John R. Gibson - Kansas City, MO
George G. Fagg - Des Moines, IA
Pasco M. Bowman - Kansas City, MO
Frank J. Magill - Fargo, ND
C. Arlen Beam - Lincoln, NE
David R. Hansen - Cedar Rapids, IA**

NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10th Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on Floor 28. Division II will be held in the Southeast Courtroom on Floor 27, and Division III will be held in the Northeast Courtroom on Floor 27. Counsel presenting oral argument should report to the clerk's office, Room 24.329, 30 minutes before Court convenes.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Appearance forms of counsel, if not previously submitted, must be completed and forwarded immediately to the clerk's office. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. *Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.*

Michael E. Gans
Clerk of Court

The following visiting judge is sitting with the Court in June:

***David S. Doty
Senior U.S. District Judge
Minneapolis, Minnesota**

DIVISION I
28th Floor
En Banc Courtroom

MONDAY, JUNE 12, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, ARNOLD, *DOTY

ABC

- | | | | |
|----|-----------|--|---------------|
| 1. | 06-1046SI | Michelle Antolik, et al. v. Saks
Incorporated, etc. | |
| | 06-1047SI | Michelle Antolik, et al. v. Saks
Incorporated, etc. | |
| | 06-1141SI | Michelle Antolik, et al. v. Saks
Incorporated, etc. | 20 |
| 2. | 06-1431WM | Robert J. Cain v. Jo Anne B. Barnhart, etc. | 15 |
| 3. | 06-1155WM | United States v. Robert Joseph Harper, Jr. | 15 |
| 4. | 06-1730WM | United States v. Jimmie D. Poe | 15 |
| 5. | 05-3329EM | Jeffrey C. Rahn v. Vickie Hawkins, et al. | 15 |
| | 05-4054NE | United States v. Kennan R. Mallory, etc. | NO ARG |

TUESDAY, JUNE 13, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, ARNOLD, *DOTY

JPP

- | | | | |
|----|-----------|--|----|
| 1. | 06-1527WM | United States v. Pablo Marquez | |
| | 06-1528WM | United States v. Gustavo T. Luna | 15 |
| 2. | 05-3229 | Julio G. Ibarra-Terrazas v. Alberto
Gonzales, etc. | 10 |
| 3. | 05-3814WA | Ohio Casualty Insurance Company v.
Union Pacific Railroad Company | 15 |
| 4. | 05-4290 | Clark K. Reter v. Railroad Retirement Board | 15 |
| 5. | 05-4329EM | James R. Niederstadt v. Jeremiah W.
Nixon, etc., et al. | 15 |

DIVISION I
28th Floor
En Banc Courtroom

WEDNESDAY, JUNE 14, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, BEAM, ARNOLD

			DGH
	05-4458MN	United States v. Jesus Jimenez Valencia, etc.	NO ARG
1.	05-4275MN	United States v. Edwin Martinez, Jr., etc.	15
2.	05-3306EA	Keith Aaron Buchheit v. Larry Norris, etc.	15
3.	05-3480MN	Ronald Butler v. Bob Fletcher	15
4.	05-3377WA 05-3565WA	United States v. Kevin Manfre United States v. Kevin Manfre	15
	05-3618WM	United States v. Pondrell Robinson, Jr.	NO ARG

THURSDAY, JUNE 15, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES ARNOLD, BEAM, *DOTY

			JMH
1.	04-3384WM	United States v. Carl Haskell	30
2.	05-4180EM	United States v. Lyndon Edward Watler, etc.	20
3.	05-4455WM	Renee Pauley, et al. v. Ball Metal Beverage Container Corporation, et al.	15
4.	06-1223WM	Raymond C. Littrell v. City of Kansas City, Missouri, et al.	15
5.	05-3803SD	Rob Senger, et al. v. City of Aberdeen, South Dakota	15
	05-3547NI	United States v. Santiago Valdivia-Perez	NO ARG

DIVISION I
28th Floor
En Banc Courtroom

FRIDAY, JUNE 16, 2006, BEGINNING AT 8:30 A.M.
BEFORE JUDGES ARNOLD, BEAM, *DOTY

			MER
1.	05-3911WA	Daniel J. Didier, et al. v. Schwan Food Company, et al.	
	05-3923WA	Daniel J. Didier v. Schwan Food Company et al.	15
	05-4181WA	Jake Pittari v. American Eagle Airlines, Inc.	REMOVED
	05-4045EA	Earl Mitchell v. City of Dumas, Arkansas	NO ARG
2.	06-1413WA	LaTeca Williams, etc. v. Scott Bradshaw, etc., et al.	15
	05-3222	Thomas Ombuya Omao v. Alberto Gonzales, etc.	NO ARG

DIVISION II
27th Floor
Southeast Courtroom

MONDAY, JUNE 12, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, MELLOY, COLLOTON

			CMD
1.	06-1086MN	Arthur Dale Senty-Haugen v. Kevin Goodno, et al.	20
	05-4074WM	Creative Marketing Associates, Inc. v. AT&T	REMOVED
2.	06-1035MN	Advantage Media, etc. v. City of Eden Prairie	15
	05-4415EM	United States v. David Lee Willie	NO ARG
3.	05-4029EA	Lisa Clark v. Ann Veneman, etc.	15
	05-3840NI	United States v. Shawn Lee Drinnon	NO ARG

TUESDAY, JUNE 13, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, MELLOY, COLLOTON

			BNS-LMT-P
1.	05-2478EM	John E. Winfield v. Don Roper	30
	05-4434MN	United States v. William Joseph Headbird	NO ARG
	05-3799MN	United States v. Allen Steven Mickle, etc.	
	05-4344MN	United States v. Sylvester Mickle, etc.	NO ARG
2.	05-4464MN	United States v. Morris Edward Benais, etc.	15
	06-1056MN	United States v. Jason George Johnson	NO ARG

DIVISION II
27th Floor
Southeast Courtroom

WEDNESDAY, JUNE 14, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, MELLOY, COLLOTON

			LAD
1.	05-3910WM	Crystal Gregory, et al. v. Dillard's, Inc.	20
2.	05-3791WM	Michael Hess, etc. v. Citibank, (South Dakota), N.A.	15
3.	06-1004MN	David M. Van Sickle v. Don Collins, et al.	10
4.	05-4463WM	C. Alan Scott v. Missouri Valley Physicians etc., et al.	15
	05-4304EM	United States v. Sean D. Jackson	NO ARG
5.	05-3881EM	United States v. Fred Walker	10
	05-3382NE	United States v. Gilbert M. Gibreal, Jr.	NO ARG

DIVISION II
27th Floor
Southeast Courtroom

THURSDAY, JUNE 15, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, MELLOY, COLLOTON

			BWB
1.	05-2978EA	Harve Porter, etc., et al. v. Kurt Knickrehm, etc., et al.	
	05-2979EA	Harve Porter, etc., et al. v. Family and Friends of Care Facility Residents, et al.	20
	05-3514	Jerry Tolego v. Alberto Gonzales, etc.	NO ARG
2.	06-1156SI	Shirdena M. Twymon v. Wells Fargo & Company, etc.	15
3.	05-3622EA	Great American Insurance Company, et al. v. Dover, Dixon Horne, etc., et al.	15
4.	05-4424MN	City of Minneapolis v. Time Warner Cable etc., et al.	15
5.	05-4483EM	United States v. Terrence T. Beal	10
	05-3741EA	United States v. Michael James Longoria	NO ARG

FRIDAY, JUNE 16, 2006, BEGINNING AT 8:30 A.M.
BEFORE JUDGES MURPHY, MELLOY, COLLOTON

			YML
1.	05-3902WM	Yvonne H. Smith, et al. v. Alamo Rent-A-Car, etc., et al.	
	05-3904WM	Helena J. Cangierter v. Alamo Rent-A-Car, etc., et al.	15
2.	05-4259MN	Wingert & Associates, Inc. v. Paramount Apparel International, Inc.	
	05-4387MN	Wingert & Associates, Inc. v. Paramount Apparel International, Inc.	15
	05-3304	Selamawit Kifleyesus v. Alberto Gonzales, etc.	NO ARG

DIVISION III
27th Floor
Northeast Courtroom

MONDAY, JUNE 12, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, HEANEY, GRUENDER

			LMT
1.	05-4010SD	Alfred Bone Shirt, et al. v. Joyce Hazeltime, etc., et al.	30
2.	05-3636WM 05-3639WM 05-3835WM 05-3836WM 05-4203WM	Leonard Snider, et al. v. United States Theresa J. Turley, etc., et al. v. United States Leonard Snider, et al. v. United States Theresa J. Turley, etc., et al. v. United States Leonard Snider, et al. v. United States	20
3.	05-4372EA	Baptist Health, etc. v. Tommy G. Thompson, etc.	15
4.	06-1110WM	United States v. Charles E. Winston	15
5.	06-1166MN	Source Food Technology, Inc. v. United States Fidelity and Guaranty Company	20
	05-3706WA	United States v. Steven Gerard Willard	NO ARG

TUESDAY, JUNE 13, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, HEANEY, GRUENDER

			SRD
	05-3391MN	United States v. LaQuan Dwayne Carter, etc.	
	06-1365MN	United States v. Michael Greenlaw, etc.	REMOVED
1.	06-1006WM	United States v. Christopher J. Morris	15
2.	05-1041WM	Raymond Johnson v. Mike Kemna	15
3.	05-3703WM	United States v. John Robert Francis	10
	06-1283WA	United States v. Mathew Meyer, etc.	NO ARG

DIVISION III
27th Floor
Northeast Courtroom

WEDNESDAY, JUNE 14, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, HEANEY, GRUENDER

			PAW
1.	05-3847WM	Passions Video, etc., et al. v. Jay Nixon, etc.	
	05-4053WM	Steele Retail 37, etc., et al. v. Jay Nixon, etc.	20
	05-2977	Nahum Gonzalez v. Michael Chertoff, etc.	NO ARG
2.	06-1878WM	In re: Deborah Alice Neal, Debtor Deborah Alice Neal, et al. v. The Kansas City Star	20
	06-1534EA	Barbara Alberson, etc. v. Larry Norris, etc., et al.	NO ARG
3.	05-3780MN	United States v. John Douglas Whitrock	10
	05-3865SD	United States v. Michael Nelson	NO ARG

THURSDAY, JUNE 15, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, HEANEY, GRUENDER

			DMS
1.	06-1282EM	Lipton-U. City, LLC v. Shurgard Storage Centers, Inc.	20
2.	05-4178MN	Gary Starr, etc. v. Metro Systems, etc., et al.	
	06-1087MN	Gary Starr, etc. v. Metro Systems, etc., et al.	15
3.	06-1210EA	C. Michael Riddell, M.D. v. UNUM Life Insurance Company of America, et al.	15
	06-1549ND	United States v. Louis Pierre Village Center	NO ARG
4.	05-4474MN	Rashid Arraleh v. County of Ramsey, et al.	10
	05-4061NE	United States v. Robert McFarland	NO ARG

DIVISION III
27th Floor
Northeast Courtroom

FRIDAY, JUNE 16, 2006, BEGINNING AT 8:30 A.M.
BEFORE JUDGES SMITH, HEANEY, GRUENDER

			LLB
1.	05-2355	Fernando Recio-Prado v. Alberto Gonzales, etc.	
	05-3555	Fernando Recio-Prado v. Alberto Gonzales, etc.	15
2.	05-3770MN	Courtney Richmond v. City of Brooklyn Center, etc. et al.	
	05-3771MN	Courtney Richmond v. City of Brooklyn Center, etc., et al.	15
	05-3926	Marcella Bosibori Onsongo v. Alberto Gonzales, etc.	NO ARG
3.	05-4110MN	Joanne M. Hacker v. Jo Anne B. Barnhart, etc.	15
	05-4454MN	BancInsure, Inc. v. Marshall Bank, N.A.	NO ARG